



**PARTIES**

5. Plaintiff incurred an obligation to pay money, the primary purpose of which was for personal, family, or household uses (the "Debt").
6. Plaintiff is a resident of the State of Illinois.
7. Defendant ("MiraMed Revenue Group."), is an Texas business entity with an address of 991 Oak Creek Drive, Lombard, IL 60148 operating as a collection agency, and is a "debt collector" as the term is defined by 15 U.S.C. Section 1692a(6).
8. Unless otherwise stated herein, the term "Defendant" shall refer to Miramed Revenue Group.
9. Defendant uses instruments of interstate commerce for its principal purpose of business, which is the collection of debts.
10. At all relevant times, Defendant owned the Debt or was retained to collect the Debt.
11. The Debt arose from services provided by the Creditor which were primarily for family, personal or household purposes and which meets the definition of a "debt" under 15 U.S.C. Section 1692(a)(5)

**FACTS APPLICABLE TO ALL COUNTS**

12. Plaintiff, along with her Husband, filed for Chapter 13 Bankruptcy on January 30, 2015.
13. On January 28, 2016 Plaintiff's Bankruptcy case was Dismissed.
14. On February 11, 2016, Plaintiff's Bankruptcy case was reinstated, with the Automatic Stay under 11 U.S.C. Section 362 fully back in effect.

15. On February 22, 2016, Defendant mailed an initial collection letter to Plaintiff, despite the fact Plaintiff was in a Chapter 13 Bankruptcy.
16. This debt was already included in ther Chapter 13 Plan. See Exhibit A.
17. As stated by our 7<sup>th</sup> Circuit Court of Appeals, lack of knowledge of a Bankruptcy Discharge is not an excuse to a violation of 15 U.S.C. Section 1692e. *Turner vs. J.V.D.B. & Associates, Inc.*, 330 F.3d 991 (7<sup>th</sup> Cir. 2003)

**FAIR DEBT COLLECTION PRACTICE ACT VIOLATIONS**

18. The Plaintiffs incorporate by reference all of the above paragraphs of this Complaint as though fully set forth herein at length.
19. Defendant violated 15 U.S.C. Section 1692d by doing actions against Plaintiff that had a natural consequence of harassment or oppression.
20. Defendant violated 15 U.S.C. Section 1692e by collecting on a debt that it had no legal right to collect on.

**JURY DEMAND**

21. Plaintiff demands a trial by jury.

**PRAYER FOR RELIEF**

30. Plaintiff demands the following relief:

WHEREFORE, the Court should enter Judgment in favor of Plaintiff and against Defendant for:

- (1) Statutory damages;
- (2) Attorney fees, litigation expenses and costs of suit; and
- (3) Such other and further relief as the Court deems proper.

Respectfully submitted,

/s/ John Carlin  
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